

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOEL SNIDER,)	
)	
Plaintiff,)	Civil Action No.18-735
)	
v.)	Judge Cathy Bissoon
)	
ROBERT GILMORE, <i>et al.</i> ,)	Magistrate Judge Lisa Pupo Lenihan
)	
Defendants.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On September 6, 2019, Magistrate Judge Lenihan issued Orders, (Docs. 73 and 74), denying Plaintiff Joel Snider's (hereinafter, "Mr. Snider's" or "Plaintiff's") Motion to Conduct Discovery (hereinafter "Discovery Motion," Doc. 70) and Motion to Stay (hereinafter "Stay Motion," Doc. 71). Magistrate Judge Lenihan also issued an Order on September 20th, granting Plaintiff's Motion for Extension of Time to Amend his Complaint. (Doc. 79.) That Order set a deadline of October 2, 2019 for Plaintiff to file an Amended Complaint, and indicated that no further extensions would be granted. (Id.)

On October 3, 2019, the Clerk's office entered Plaintiff's Objections to these Orders, entitled "Plaintiff's Objections to Denial of Leave to Engage in Discovery, Denial of Stay, Denial of Motion to Merge Cases, and Denial of Further Time Extension for Submitting an Amended Complaint," (hereinafter, "Objections," Doc. 80). The undersigned notes that Magistrate Judge Lenihan has not denied Plaintiff's Motion to Merge Cases, (Doc. 67), which

remains pending, and that she granted his Motion for Extension of Time, (Doc. 78). As such, Plaintiff's Objections related to those Motions are moot and overruled, respectively.

As for Plaintiff's Objections related to the denial of his Discovery Motion and Stay Motion, the Court has conducted a *de novo* review of the Magistrate Judge Lenihan's Orders, along with the pleadings and documents in this case, including Plaintiff's Objections.

In his Objections, Plaintiff has presented no additional argument beyond what is in his Discovery Motion and Stay Motion. In those documents, he argues discovery is necessary for him to meaningfully respond to Defendants' pending Motion to Dismiss, (Doc. 51), and that this case must be stayed while such discovery takes place. The Court has reviewed Plaintiff's specific requests for discovery and agrees with the Magistrate Judge Lenihan that Plaintiff's arguments relate to legal, not factual issues, and that they can be addressed in his Response or by amendment without additional discovery. Thus, as it is clear that no part of Magistrate Judge Lenihan's Orders are clearly erroneous or contrary to law, the Court will adopt her Orders on the Discovery Motion and the Stay Motion, (Docs. 73 and 74).

A substantial portion of Plaintiff's Objections are dedicated to his disability and the impairment of his functioning in recent days, including difficulty with concentration and problems with sleep. (Objections at 5–8.) Plaintiff advises that these difficulties render him unable to comply with the October 2, 2019 deadline for his filing of an Amended Complaint. (see Doc. 79.) However, he says repeatedly that he “is confident he can meet a Nov. 2, 2019 deadline.” (E.g., id. at 10). Crediting Plaintiff's representations regarding both the impairments caused by his disabilities and what accommodation he needs from the Court to overcome them, Plaintiff's deadline to amend his pleadings will be extended to his requested deadline of November 2, 2019. No additional extensions are contemplated.

Accordingly, it hereby is **ORDERED** that Plaintiff Joel Snider's Objections, (Doc. 80), are **OVERRULED** in part, and **DENIED AS MOOT** in part; his Discovery Motion, (Doc. 70), and Stay Motion, (Doc. 71), are **DENIED**; and the Orders at Doc. 73 and 74 are **ADOPTED** as Opinions of the District Court. Plaintiff's request for additional time to Amend his Complaint is **GRANTED**, and he shall file an Amended Complaint on or before November 2, 2019.¹

IT IS SO ORDERED.

October 3, 2019

s\Cathy Bissoon

Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via First-Class U.S. Mail):

JOEL SNIDER
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¹ Subsequent to the filing of his Objections, Plaintiff also filed a separate Motion to Extend Time to Amend Complaint, (Doc. 81). The Court will deny that Motion as moot, consistent with this Memorandum Order.